

# SENATE MOTION

**MR. PRESIDENT:**

**I move** that Engrossed House Bill 1001(ss) be amended to read as follows:

- 1           Page 36, delete lines 10 through 25, begin a new paragraph and  
2       insert:  
3           "(b) The amount of the credit to which the individual is entitled  
4       equals the product of:  
5           (1) the percentage prescribed in subsection (d); multiplied by  
6           (2) the amount of the individual's property tax liability, as that  
7       term is defined in IC 6-1.1-21-5, which is:  
8           **(A) attributable during the particular calendar year to the**  
9           **part of the assessed value of the homestead during the**  
10          **particular calendar year; that does not exceed one million**  
11          **dollars (\$1,000,000); and**  
12          **(B) determined after the application of the property tax**  
13          **replacement credit under IC 6-1.1-21.**  
14          (c) For purposes of determining that part of an individual's property  
15       tax liability that is attributable to the individual's homestead, all  
16       deductions from assessed valuation which the individual claims under  
17       IC 6-1.1-12 or IC 6-1.1-12.1 for property on which the individual's  
18       homestead is located must be applied first against:  
19          **(1) the assessed value of the individual's homestead before those**  
20          **deductions are applied against any other property; and**  
21          **(2) the part of the assessed value of the homestead that**  
22          **exceeds one million dollars (\$1,000,000)."**  
23          Page 229, between lines 32 and 33, begin a new paragraph and  
24       insert:  
25          "SECTION 194. [EFFECTIVE JULY 1, 2002] **(a) It is the intent**  
26       **of the general assembly to use additional revenue resulting from**  
27       **the limitation made by this act on the amount of assessed value to**  
28       **which the homestead credit under IC 6-1.1-20.9-2 applies to restore**  
29       **cuts made to project safeplace, the youth services bureau, and the**

1 domestic violence program for the state fiscal year beginning July  
2 1, 2002, and ending June 30, 2003.

3 (b) Notwithstanding P.L.219-2001, SECTION 7, the  
4 appropriation FOR THE FAMILY AND SOCIAL SERVICES  
5 ADMINISTRATION, EARLY CHILDHOOD INTERVENTION  
6 SERVICES/PROJECT SAFEPLACE, Total Operating Expense for  
7 FY 2002-2003 is \$0 and not \$6,583,433.

8 (c) There is appropriated to the family and social services  
9 administration six million four hundred fifty-eight thousand four  
10 hundred thirty-three dollars (\$6,458,433) for total operating  
11 expense from the state general fund for early childhood  
12 intervention services for the state fiscal year beginning July 1,  
13 2002, and ending June 30, 2003.

14 (d) There is appropriated to the family and social services  
15 administration one hundred twenty-five thousand dollars  
16 (\$125,000) for total operating expense from the state general fund  
17 for project safeplace for the state fiscal year beginning July 1,  
18 2002, and ending June 30, 2003.

19 (e) Notwithstanding IC 4-12-1-12, IC 4-13-2-18, or any other  
20 law or rule, the appropriation of one hundred twenty-five thousand  
21 dollars (\$125,000) for project safeplace made in subsection (d) for  
22 FY 2002-2003, is automatically allotted on a quarterly basis for the  
23 state fiscal year beginning July 1, 2002, and ending June 30, 2003.

24 (f) The money allotted in subsection (e) must be used for project  
25 safeplace, and the total amount of money allotted under subsection  
26 (e) must be spent by the family and social services administration  
27 for project safeplace in the state fiscal year beginning July 1, 2002,  
28 and ending June 30, 2003.

29 (g) Notwithstanding IC 4-12-1-12, IC 4-13-2-18, or any other  
30 law or rule, the appropriation of one million two hundred fifty  
31 thousand dollars (\$1,250,000) FOR THE FAMILY AND SOCIAL  
32 SERVICES ADMINISTRATION, YOUTHSERVICES BUREAU,  
33 Total Operating Expense made in P.L.291-2001, SECTION 7, for  
34 FY 2002-2003, is automatically allotted on a quarterly basis for the  
35 state fiscal year beginning July 1, 2002, and ending June 30, 2003.

36 (h) The money allotted in subsection (g) must be used for the  
37 youth services bureau and the total amount of money allotted  
38 under subsection (g) must be spent by the family and social services  
39 administration for the youth services bureau in the state fiscal year  
40 beginning July 1, 2002, and ending June 30, 2003.

41 (i) Notwithstanding IC 4-12-1-12, IC 4-13-2-18, or any other law  
42 or rule, the general fund appropriation of one million dollars  
43 (\$1,000,000) FOR THE FAMILY AND SOCIAL SERVICES  
44 ADMINISTRATION, DOMESTIC VIOLENCE PREVENTION  
45 AND TREATMENT PROGRAM, Total Operating Expense made  
46 in P.L.291-2001, SECTION 7, for FY 2002-2003, is automatically  
47 allotted on a quarterly basis for the state fiscal year beginning July  
48 1, 2002, and ending June 30, 2003.

(j) The money allotted in subsection (i) must be used for the domestic violence prevention and treatment program and the total amount of money allotted under subsection (g) must be spent by the family and social services administration for the domestic violence prevention and treatment program in the fiscal year beginning July 1, 2002, and ending June 30, 2003.

(k) It is the intent of the general assembly that the appropriations and allotments made in subsections (d), (g), and (i) be distributed or otherwise expended in conformity with the appropriation or allotment as provided by this SECTION or, in the absence of a provision concerning the time of its expenditure, as soon as possible after the effective date of this SECTION. The state agency to which the money is appropriated must spend the money as appropriated or allotted without any reversion at the end of the state fiscal year. All procedures related to the allotment and distribution of the money for appropriated expenditures shall be treated as clerical functions without any statutory discretion.

(l) Notwithstanding IC 4-9.1-1-7 or any other law granting power to the state board of finance or another entity or official in the executive department of state government to transfer money among funds or between appropriations, money related to the appropriation may not be transferred for any purpose other than the purposes described in this SECTION and may not be used for any appropriation other than the appropriations described in this SECTION.

(m) Notwithstanding IC 4-12-1-12, IC 4-13-2-18, or any other law, policy, practice, or rule granting allotment powers or powers to transfer, assign, or reassign appropriations to:

- (1) the budget director;
- (2) the budget agency; or
- (3) any other entity or public official in the executive department of state government;

no law authorizes the budget agency or any other entity or public official in the executive department of state government to delay or deny allotment, use, or distribution of the appropriations or allotments described in this SECTION.

(n) The appropriations and allotments described in subsections (d), (g), and (i) shall be treated as automatically allotted for the purposes of the appropriation:

- (1) on the date or occurrence of the event specified in this SECTION; or
- (2) in the absence of a specific date or event for allotment, on the effective date of this SECTION.

An appropriation automatically allotted for one (1) quarter of a state fiscal year and not fully expended in that quarter remains allotted for expenditure throughout that state fiscal year.

(o) Notwithstanding any law giving discretion to any official to determine when to expend or distribute money appropriated by the

1       general assembly, the state shall expend or distribute the amount  
2       of the automatically allotted appropriation as provided in  
3       subsections (e), (g), and (i).

4       (p) If there is insufficient money to make all appropriations  
5       made by the general assembly for the state fiscal year beginning  
6       July 1, 2002, and ending June 30, 2003, any adjustments in state  
7       spending necessary to make the expenditures of automatically  
8       allotted appropriations shall be made from appropriations other  
9       than the automatically allotted appropriations.

10       (q) This SECTION expires July 1, 2003."

11       Renumber all SECTIONS consecutively.

      (Reference is to EHB 1001(ss) as printed June 13, 2002.)

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Senator LANANE